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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. **2010-546**

12 **JOYCE ANN DEGARMO**  
13 **aka JOYCE ANN CAMPBELL**  
21160 Neola Road  
14 Apple Valley, CA 92308

**A C C U S A T I O N**

15 **Registered Nurse License No. RN 528539**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
22 of Consumer Affairs.

23 2. On or about December 19, 1996, the Board of Registered Nursing (Board) issued  
24 Registered Nurse License No. 528539 to Joyce Ann Degarmo aka Joyce Ann Campbell  
25 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
26 the charges brought herein and will expire on February 29, 2012, unless renewed.

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1 from the standard of care which, under similar circumstances, would have ordinarily been  
2 exercised by a competent registered nurse. Such an extreme departure means the repeated failure  
3 to provide nursing care as required or failure to provide care or to exercise ordinary precaution in  
4 a single situation which the nurse knew, or should have known, could have jeopardized the  
5 client's health or life."

6 9. California Code of Regulations, title 16, section 1443, states:

7 "As used in Section 2761 of the code, 'incompetence' means the lack of possession of or  
8 the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and  
9 exercised by a competent registered nurse as described in Section 1443.5."

10 10. California Code of Regulations, title 16, section 1444, states:

11 "A conviction or act shall be considered to be substantially related to the qualifications,  
12 functions or duties of a registered nurse if to a substantial degree it evidences the present or  
13 potential unfitness of a registered nurse to practice in a manner consistent with the public health,  
14 safety, or welfare. Such convictions or acts shall include but not be limited to the following:

15 . . . .

16 "(b) Failure to comply with any mandatory reporting requirements."

### 17 **COST RECOVERY**

18 11. Section 125.3 provides, in pertinent part, that the Board may request the  
19 administrative law judge to direct a licentiate found to have committed a violation or violations of  
20 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
21 enforcement of the case.

### 22 **FIRST CAUSE FOR DISCIPLINE**

#### 23 **(Substantially-Related Acts Related to the Qualifications of a Registered Nurse)**

24 12. Respondent is subject to disciplinary action as defined in California Code of  
25 Regulations, title 16, section 1444, in that on or about March 2008, while employed at Patton  
26 State Hospital, Respondent committed acts of misconduct that were substantially-related to the  
27 qualifications, functions or duties of a registered nurse in that she had an inappropriate  
28 relationship with a patient. The circumstances surrounding the committed acts are that on or

1 about March 2008, Respondent was seen by various staff members engaging in an inappropriate  
2 relationship with male patient "M.H." by bringing him food items. The patient had been  
3 diagnosed as schizophrenic and had been involuntarily hospitalized after being found not guilty of  
4 a crime due to reason of insanity. On or about April 15, 2008, Respondent continued her  
5 inappropriate relationship with the patient by touching his face, shoulder, and arm and allowing  
6 him to touch her in the same manner. Respondent admitted to kissing the patient on the mouth  
7 and giving him a hug during the encounter and to subsequently attempting to contact him by  
8 phone on at least two occasions. In a letter to an investigator, Respondent admitted to becoming  
9 overly involved with the patient, attempting to personally help him outside of the therapeutic  
10 boundaries of a nurse/ patient relationship.

#### 11 **SECOND CAUSE FOR DISCIPLINE**

##### 12 **(Acts of Incompetence and Gross Negligence)**

13 13. Respondent is subject to disciplinary action under section 2761, subdivision (a) (1), as  
14 defined in California Code of Regulations, title 16, sections 1442 and 1443, in that Respondent  
15 committed acts of incompetence or gross negligence when she had an inappropriate relationship  
16 with a patient. Complainant refers to, and by this reference incorporates, the allegations set forth  
17 above in paragraph 12, as though set forth fully.

#### 18 **THIRD CAUSE FOR DISCIPLINE**

##### 19 **(Unprofessional Inappropriate Acts/Relations with a Patient)**

20 14. Respondent is subject to disciplinary action under section 726, in that Respondent  
21 acted in an unprofessional manner by having an inappropriate relationship with a patient.  
22 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
23 paragraph 12, as though set forth fully.

#### 24 **FOURTH CAUSE FOR DISCIPLINE**

##### 25 **(Failed to Comply with Mandatory Reporting Requirements)**

26 15. Respondent is subject to disciplinary action as defined in California Code of  
27 Regulations, title 16, section 1444, subdivision (b), in that Respondent failed to comply with  
28 mandatory reporting requirements when Respondent failed to report her inappropriate

1 relationship with a patient. Complainant refers to, and by this reference incorporates, the  
2 allegations set forth above in paragraph 12, as though set forth fully.

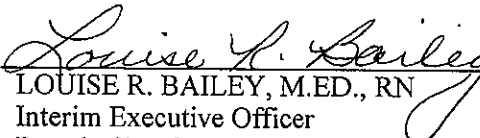
3 **PRAYER**

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Board issue a decision:

- 6 1. Revoking or suspending Registered Nurse License No. 528539 issued to Respondent;  
7 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and  
8 enforcement of this case, pursuant to section 125.3; and  
9 3. Taking such other and further action as deemed necessary and proper.

10  
11 DATED: \_\_\_\_\_

4/23/10

  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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